

Robert A. Surrette (*pro hac vice*)
 Email: bsurrette@mcandrews-ip.com
 Scott P. McBride (*pro hac vice*)
 Email: smcbride@mcandrews-ip.com
 Carey J. Prill (SBN 269632)
 Email: cprill@mcandrews-ip.com
 Michael J. Carrozza (*pro hac vice*)
 Email: mcarrozza@mcandrews-ip.com
 McANDREWS, HELD & MALLOY, LTD.
 500 West Madison Street, 34th Floor
 Chicago, Illinois 60661
 Telephone: (312) 775-8000
 Facsimile: (312) 775-8100

William R. Overend (SBN 180209)
 REED SMITH LLP
 101 Second Street, Suite 1800
 San Francisco, California 94105-3659
 Telephone: (415) 543-8700
 Facsimile: (415) 391-8269
 Email: woverend@reedsmith.com

Attorneys for Defendants,
 STRYKER CORPORATION and
 STRYKER COMMUNICATIONS, INC.

Additional counsel listed on signature page.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

KARL STORZ ENDOSCOPY-
 AMERICA, INC.,

Plaintiff,

v.

STRYKER CORPORATION and
 STRYKER COMMUNICATIONS, INC.,

Defendants.

Case No. CV 14-00876 RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CHANGE THE DATE OF
 THE CLAIM CONSTRUCTION
 HEARING AND TO EXTEND THE
 DEADLINE TO FILE RESPONSIVE
 CLAIM CONSTRUCTION BRIEFS**

Pursuant to Civil Local Rule 6-1(b) and 7-12, Plaintiff Karl Storz Endoscopy-America, Inc. ("KSEA") and Defendants Stryker Corporation and Stryker Communications, Inc. (collectively, "Stryker"), by and through their undersigned counsel, hereby stipulate to and jointly request the Court to (1) reschedule the Claim Construction Hearing to June 6, 2016 at 10:00 a.m., and (2) continue the deadline to file responsive claim construction briefs to May 13, 2016. The accompanying declaration of Michael J. Carrozza sets forth all requirements of Civil Local Rule 6-2, including identifying all previous time modifications in the case. For the Court's convenience, the Parties will not repeat all information contained in Mr. Carrozza's declaration, but the Parties do note as follows:

1. On April 22, 2016, the Clerk entered a Notice changing the date of the Technology Tutorial from May 9, 2016 to May 23, 2016 at 10:00 a.m., and changing the date of the Claim Construction Hearing from May 23, 2016 to May 27, 2016 at 10:00 a.m. (*See* Dkt. 183.)

2. On April 23, 2016, Defendants' counsel contacted the Courtroom Deputy because the new May 27 date for the rescheduled Claim Construction Hearing posed a scheduling conflict for Defendants. After meeting and conferring with Plaintiff's counsel, Defendants' counsel proposed rescheduling the Claim Construction Hearing to June 6, 2016 at 10:00 a.m. The Courtroom Deputy stated that the Court was amenable to holding the Claim Construction Hearing at that date and time.

3. Additionally, in light of the Technology Tutorial and Claim Construction Hearing each being moved back by two weeks, the Parties also seek to extend the deadline for filing responsive claim construction briefs to May 13, 2016.

4. The Parties filed opening claim construction briefs on April 15, 2016 and are currently scheduled to file responsive claim construction briefs on April 29, 2016. Once the Technology Tutorial and Claim Construction Hearing were rescheduled, the Parties met and conferred and agreed that both parties could benefit from additional time to thoroughly review the other's opening brief and prepare adequate responses thereto. The Parties also agreed to not calling live witnesses to testify at the Claim Construction Hearing.

5. Thus, the Parties hereby request (1) that the Claim Construction Hearing be rescheduled to June 6, 2016 at 10:00 a.m. and (2) that the deadline to file responsive claim construction briefs be rescheduled to May 13, 2016.

6. The stipulated changes will not alter any other deadlines currently set by the Court.

7. Pursuant to Civil Local Rule 6-2(a), this stipulation is accompanied by the Declaration of Michael J. Carrozza setting forth (1) the reasons for the requested enlargement of time; (2) all previous time modifications in this case; and (3) the effect of the requested enlargement of time.

Respectfully submitted,

Dated: April 25, 2016

REED SMITH LLP

/s/ William R. Overend¹ _____
William R. Overend

Attorneys for Defendants,
STRYKER CORPORATION and
STRYKER COMMUNICATIONS, INC.

Dated: April 25, 2016

BECK, BISMONTE & FINLEY, LLP

/s/ Alfredo A. Bismonte _____
Alfredo A. Bismonte
Kimberly P. Zapata (Cal. Bar. No. 138291)
BECK, BISMONTE & FINLEY, LLP
150 Almaden Blvd, 10th Floor
San Jose, CA 95113
Tel: (408) 938-7900
Fax: (408) 938-0790
Email: abismonte@beckllp.com
kzapata@beckllp.com

Wesley W. Whitmyer Jr. (*pro hac vice*)
Michael J. Kosma (*pro hac vice*)
Michael A. Lavine (*pro hac vice*)
Robert D. Keeler (*pro hac vice*)
WHITMYER IP GROUP LLC
600 Summer Street
Stamford, Connecticut 06901

¹ In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories hereto.

Tel: (203) 703-0800
Fax: (203) 703-0801
Email: litigation@whipgroup.com
mkosma@whipgroup.com
mlavine@whipgroup.com
rkeeler@whipgroup.com


Attorneys for Plaintiff,
KARL STORZ ENDOSCOPY-AMERICA,
INC.

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

- The Claim Construction Hearing is rescheduled to June 6, 2016 at 10:00 a.m.; and
- The deadline to file responsive Claim Construction Briefs is continued to May 13, 2016.

Dated: 4/25/16, 2016


Honorable Richard G. Seeborg,
United States District Judge